

# EXHIBIT Q

# Estate of Peter Flanagan

# VCF Documentation



September 11th  
Victim Compensation Fund

February 21, 2019

DENISE FLANAGAN  
C/O WENDELL TONG  
SULLIVAN PAPAIN BLOCK MCGRATH & CANNAVO, PC  
120 BROADWAY 18TH FLOOR  
NEW YORK NY 10271

Dear DENISE FLANAGAN:

The September 11th Victim Compensation Fund ("VCF") previously sent you an Eligibility determination letter on December 03, 2018 for the claim you submitted on behalf of PETER FLANAGAN. Your claim number is VCF0081374. The letter included a list of condition(s) deemed eligible for compensation. You then amended your claim to add one or more new conditions.

The VCF has considered your amended claim and reviewed the new information you provided. This letter sets forth the revised eligibility determination and supersedes and replaces the previous letter.

The VCF previously notified you that your wrongful death claim was untimely registered. The VCF has since reconsidered your claim and has now determined that your wrongful death claim was timely filed. Because the victim's death resulted from a rare cancer, which was added to the list of eligible conditions by the WTC Health Program on February 18, 2014, the applicable registration deadline was February 18, 2016. Because you registered your wrongful death claim within two years of the condition being added as an eligible condition, your claim is considered timely.

#### **The Decision on your Claim**

Based on the information you submitted and information the VCF has received from the World Trade Center ("WTC") Health Program, the decedent has been found eligible for the injuries listed below. *This list includes all injuries for which the decedent has been found eligible.*

- MALIGNANT NEOPLASM OF THE SMALL BOWEL

Please note that there are several reasons why an injury that you think should be eligible is not listed above. For non-traumatic injuries, the name of the injury is based on the information provided by the WTC Health Program and there may be different names for the same injury. Additionally, your injury may not be listed if it was only recently certified for treatment by the WTC Health Program.



September 11th  
Victim Compensation Fund

If in the future the WTC Health Program should notify you that a condition previously found eligible is no longer certified, you must inform the VCF as this may affect your eligibility status and/or loss calculation.

#### **What Happens Next**

You submitted the Compensation portion of your claim form. The VCF will contact you if additional information is needed in order to calculate your award. **If you believe the new condition(s) changes your compensation claim**, you should amend your claim. For example, if your new condition is the reason the decedent was not able to work, you should provide that information to the VCF by amending your claim. Please see the [www.vcf.gov](http://www.vcf.gov) website for additional details on how to amend your claim.

**If the newly eligible condition(s) does not change your compensation claim**, you do not need to take any action at this time.

If you have questions about the information in this letter or the claims process in general, please call our toll-free Helpline at 1-855-885-1555. For the hearing impaired, please call 1-855-885-1558 (TDD). If you are calling from outside the United States, please call 1-202-514-1100.

Sincerely,

Rupa Bhattacharyya  
Special Master  
September 11th Victim Compensation Fund

cc: DENISE FLANAGAN



March 31, 2023

DENISE FLANAGAN  
[REDACTED]  
[REDACTED]

## **Your Award**

### **Claim VCF0081374**

Dear DENISE FLANAGAN:

The September 11th Victim Compensation Fund has reviewed your amendment(s) for additional compensation. Based on our review, we have increased your total award to [REDACTED]

We already paid you [REDACTED]. As a result of the decision on your amendment(s), we will pay you an additional [REDACTED].

The enclosed "Award Detail" lists the eligible condition(s) that are included in your award and explains how the award was calculated.

### **When will I get paid?**

Your lawyer will receive your payment by approximately **June 22, 2023**. Once your lawyer receives your payment, they should send your payment to you within thirty days. If you have questions about your payment, please contact your lawyer.

**If you request an appeal hearing**, you will not receive your payment until **after** your hearing has been held and a decision has been made on your appeal.

As the personal representative for the estate of PETER FLANAGAN, you may be required to distribute the payment to other people under state law. The VCF cannot advise you on how to distribute the payment.

### **What if I believe there is an error in my award?**

If you believe there is an error in your award, you may request an appeal hearing. To request an appeal hearing, follow the instructions on the enclosed Compensation Appeal Request Form. Please pay attention to the specific dates on the form. If you do not submit the completed form by the required date, ***you will lose your right to appeal.***

If you decide not to appeal, we will consider your award to be final once the date for requesting an appeal has passed.



## **Do I have to tell the VCF if I receive other payments relating to my VCF-eligible conditions?**

Yes. If you receive any other payments relating to your VCF-eligible condition(s) before October 1, 2090, **you must tell us**. Some examples of other payments are lawsuit settlements, disability benefits, and survivor benefits. ***You are required by law to tell us about these and all other payments you receive related to your VCF-eligible condition(s).***

To tell us about these payments, submit a Collateral Offset Update Form. You can find this form at <https://www.vcf.gov/sites/vcf/files/resources/CollateralOffsetUpdateForm.pdf>. Your deadline for submitting the form is 90 days after you find out that you will be receiving the payment.

## **How much can my lawyer charge me for representing me in my amendment(s)?**

By law, your lawyer can charge you up to ten percent of the additional amount you received as a result of your amendment(s). Your lawyer can also charge you for two types of costs, if they incurred them as part of your amendment(s):

- (1) The cost of getting copies of medical records, but only if certain requirements are met. The requirements are listed at <https://www.vcf.gov/policy/information-individuals-attorneys>.
- (2) The cost of translating documents into English, but only if certain requirements are met. The requirements are listed at the same website.

The VCF did not approve your lawyer charging you for any other costs. If payment was made to your lawyer, then your lawyer will subtract their fee and the allowed costs before sending your payment to you.

## **What if I have questions?**

If you have questions, visit our website or call us:

**Website** [www.vcf.gov](http://www.vcf.gov)

**Toll-free Helpline** 1-855-885-1555

**Hearing impaired** 1-855-885-1558 (TDD)

**Outside the United States** 1-202-514-1100

Please have your claim number ready when you call: VCF0081374.

If you have a lawyer representing you in your VCF claim, your lawyer may also be able to answer your questions.



Sincerely,

Allison Turkel  
Special Master  
September 11th Victim Compensation Fund

WENDELL TONG can access the electronic copy of this letter uploaded to your online claim.





## Award Detail

Claim Number: VCF0081374  
Decedent Name: PETER FLANAGAN

PERSONAL INJURY CLAIM (Losses up to Date of Death)	
<b>Lost Earnings and Benefits</b>	
Loss of Earnings including Benefits and Pension	
Mitigating or Residual Earnings	
<b>Total Lost Earnings and Benefits</b>	
<b>Offsets Applicable to Lost Earnings and Benefits</b>	
Disability Pension	\$0.00
Social Security Disability Benefits	
Workers Compensation Disability Benefits	\$0.00
Disability Insurance	\$0.00
Other Offsets related to Earnings	\$0.00
<b>Total Offsets Applicable to Lost Earnings</b>	
<b>Total Lost Earnings and Benefits Awarded</b>	
<b>Other Economic Losses</b>	
Medical Expense Loss	\$0.00
Replacement Services	\$0.00
<b>Total Other Economic Losses</b>	\$0.00
<b>Total Economic Loss</b>	
<b>Total Non-Economic Loss</b>	
<b>Subtotal Award for Personal Injury Claim</b>	



September 11th  
Victim Compensation Fund

<b>DECEASED CLAIM (Losses from Date of Death)</b>	
<b>Loss of Earnings including Benefits and Pension</b>	
<b>Offsets Applicable to Lost Earnings and Benefits</b>	
Survivor Pension	\$0.00
SSA Survivor Benefits	
Worker's Compensation Death Benefits	\$0.00
Other Offsets related to Earnings	\$0.00
<b>Total Offsets Applicable to Loss of Earnings and Benefits</b>	
<b>Total Lost Earnings and Benefits Awarded</b>	
<b>Other Economic Losses</b>	
Replacement Services	
Burial Costs	
<b>Total Other Economic Losses</b>	
<b>Total Economic Loss</b>	
<b>Non-Economic Loss</b>	
Non-Economic Loss - Decedent	
Non-Economic Loss - Spouse/Dependent(s)	
<b>Total Non-Economic Loss</b>	
<b>Additional Offsets</b>	
Social Security Death Benefits	
Life Insurance	
Other Offsets	\$0.00
<b>Total Additional Offsets</b>	
<b>Subtotal Award for Deceased Claim</b>	



September 11th  
Victim Compensation Fund

<b>Subtotal of Personal Injury and Deceased Claims</b>	
PSOB Offset	\$0.00
Prior Lawsuit Settlement Offset	\$0.00
<b>TOTAL AWARD</b>	
<b>Factors Underlying Economic Loss Calculation</b>	
Annual Earnings Basis (without benefits)	
Percentage of Disability attributed to Eligible Conditions - applicable to Personal Injury losses	100.00%
Start Date of Loss of Earnings Due to Disability - applicable to Personal Injury losses	05/15/2010

<b>Eligible Conditions Considered in Award</b>
Malignant Neoplasm of The Small Bowel

# Family Member Affidavits

Denise Flanagan



5. Peter Flanagan was my husband. We met in April 1984 and became engaged that December and married November 16, 1985. When I met him, he told me he was going to marry me which I have to admit made me a little skeptical... but as it turned out, he was right! Peter was working as a Specialist Clerk on the floor of the New York Stock Exchange on September 11, 2001. During our marriage we had fertility issues, but we were able to overcome them and became parents to three amazing children. We created amazing memories both as a couple and as a family of five. We spent our summers at the Breezy Point Surf Club with the kids, living amazing grateful lives filled with laughter and so much togetherness. When we were first married, I worked for Pan American Airways and we traveled a lot. It always felt like we were on a honeymoon. I am so grateful for our early years of traveling because we weren't lucky enough to have enjoyed it in our retirement years. We would have been married 38 years on November 16<sup>th</sup>.

6. Peter worked as a Specialist Clerk for RPM Securities on the floor of the NYSE. What I recall most was Peter calling me that morning, asking me if I knew what was going on with the plane that hit one of the WTC towers. I didn't have the TV on and when I did put it on, I was horrified at what I was seeing. I told him what was happening at the same time the second tower was hit. He said they weren't letting people leave the Exchange floor. I told him to get out of there in the event the NYSE was next to get attacked and he did leave. As he was walking to the Brooklyn Bridge on Broadway, he was passing the Bull statue when the second tower fell, and he was fully engulfed in ash, dust, smoke, and rubble. They had closed the Exchange the rest of the week but he was expected to return the following week. He went to work every day from there on out when fires were still lit. In the first few months I would drive him to the ferry in Sunset Park, as Peter was terrified to return to the subway. I was beyond grateful that Peter came home that day, seeing



him walk up our street, still completely covered in ash from head to toe even after walking across the Brooklyn Bridge, to the bus that would bring him home. We both knew how lucky we were, however we didn't know that day would forever change the course of our lives.

7. Peter was diagnosed with goblet cell carcinoma two years after 9/11 in November 2003. This was a huge blow to us. Peter had hemi-colectomy surgery. This was the first round of potentially fatal cancer. They were able to get everything from that surgery and he was told he won the life lottery. Peter had a complete vertical scar which "unzipped". I had to leave a PTA conference for our children to run home to bind his abdomen and take him into Manhattan to have the surgeon ensure he wasn't going to completely split open. We got through that, and I am so grateful. Fast forward to his colon cancer diagnosis in 2009 and his first round of chemotherapy which he completed in April 2010. Around Father's Day 2010, Peter was beginning to feel sick again. He wasn't able to eat and was always uncomfortable. We spent the summer going to doctors and his complaints to the oncologist were met with dismissal. We went to a family friend/gastroenterologist. He sent Peter for an MRI and immediately sent him to a surgeon. He had surgery on September 13<sup>th</sup>. The doctor called me and said "he's done... he's done..." I said, "he's dead?" and he said, "not today, but soon – the most he has is six months.". WHAT? This began the absolute worst time in my life. My husband was dying, I had three kids, 13, 16 and 18. How in the world will I do this alone? My mother was also dying from kidney failure, and I had to ensure she got to and from dialysis three days weekly. We went to the Cancer Treatment Center in Philadelphia to see if there was anything they could do. They attempted to insert a plug in his abdomen to drain his stomach fluids, but this cancer was ravaging his body too quickly. From October 15<sup>th</sup> until the day he died, on February 3, 2012, he was connected to a GI tube in his nose to empty his stomach fluids. He never ate or drank anything again. I took him home from the

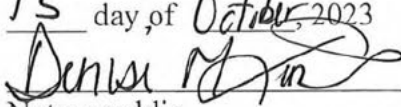


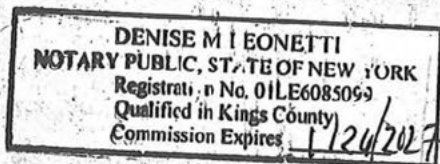
Cancer Treatment Center on our 26<sup>th</sup> wedding anniversary to hospice. But first, he was in the hospital without any pain medication for three days while the hospital confirmed his terminal illness and we waited for hospice placement.

8. My love has gone forever. His partnership, shoulder to cry and lean on, confidant, and best friend is no more. Gone are all our future plans, life events with and for our children are without him. Middle School and High School graduations came and went with just mom. Seeing all the happy complete families enjoying momentous occasions and we are no longer whole. No father-daughter dance at the wedding... grandma without grandpa. Now it is just an empty hole that lives inside me. I recently retired and we had made such amazing plans... our dreams were stolen away. I travel with friends, but I keep seeing him wherever I go. I still, 11 years later, think "I can't wait to tell Peter what I just saw!" or, "Peter would have loved this!". His death has forever changed my life. I feel the loss every day. I can still hear his footsteps in the hall, but he's gone.

  
DENISE FLANAGAN

Sworn before me this

15 day of October, 2023  
  
Notary public



Emmett Flanagan

**Civil Court of the City of New York**

County of Kings

141 Livingston Street, Brooklyn, NY 11201

Index Number: NC-00019722 K1

In the Matter of the Application of  
**EMILY FRANCES FLANAGAN AKA EMILY FLANAGAN**  
For Leave to Change Their Name To  
**EMMETT FRANCIS FLANAGAN**  
And For Leave to Change Their Sex Designation To  
**Male**

**ORDER GRANTING  
NAME AND SEX DESIGNATION  
CHANGE**

Upon the application for a Name and Sex Designation Change by the Petitioner(s), verified on April 19, 2022, and the court being satisfied that the petition is true, and that there is no reasonable objection to the change(s) proposed, it is hereby **ORDERED** that,

The individual currently known as (First) **EMILY** (Middle) **FRANCES** (Last) **FLANAGAN AKA EMILY FLANAGAN** who was born on [REDACTED] at/in **RICHMOND, NEW YORK**, with birth certificate number [REDACTED], issued by **CITY OF NEW YORK**, is authorized to assume the name of (First) **EMMETT** (Middle) **FRANCIS** (Last) **FLANAGAN** in place of their present name, and shall be known by no other name. And having attested to their gender identity or to the reason for the sex designation change, they are authorized to assume the proposed sex designation of **Male**.

It is further **ORDERED** that the Petitioner is authorized to amend their sex designation on the following identity documents: **THE CITY OF NEW YORK BIRTH CERTIFICATE, NEW YORK STATE DEPARTMENT OF MOTOR VEHICLE IDENTIFICATION CARD, SOCIAL SECURITY**.

It is further **ORDERED** that this Order be entered and the papers on which it was granted be filed in the office of the Clerk of the Civil Court of the City of New York, County of Kings, and that the authorizations contained herein are contingent upon full compliance with the provisions and directives of this Order.

Dated: \_\_\_\_\_

5/9/2022

NYC CIVIL COURT  
KINGS COUNTY

JUN 07 2022

CERTIFIED COPY OF  
ORIGINAL PAPER

**ENTERED**

JUN 07 2022

CIVIL COURT  
KINGS COUNTY

Signed: \_\_\_\_\_

Hon. Betty Lugo  
Judge of the Civil Court





5. Peter Flanagan was my father – as an inside joke, I often called him Papaluigi. He was a specialist clerk for the New York Stock Exchange. We did a lot of things together. He was a very fun man. We would watch cartoons and he would do silly voices along with them. He'd spread out butcher paper on the dining room table and we would doodle and draw comics. He would invite us into the kitchen to cook with him and my mom, encourage our expression and silliness and thought processes. He was very intelligent and learned, knowing something about everything. We went to nature reserves a lot, and he taught us about the birds we saw around Jamaica Bay, the creatures we'd observe in tide pools at Fire Island, and why the tide would be high and low. He had hoarded video tapes of children's shows that came out before we were born that he wanted to show us. It is hard to pinpoint one impactful memory from a childhood buoyed by a man that wanted to foster our curiosity, our creativity, our plain-old fun.

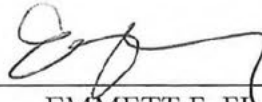
6. I was in first grade when the World Trade Center was attacked on September 11<sup>th</sup>. My mom took me and my brother out of school – our sister was only three at the time. I remember waiting by the phone for our dad to call. Friends and colleagues called to see if he had come home yet – I answered the phone with a hopefully “daddy?” every time, but we didn't hear from him until he came home later that day, around lunchtime, covered head to toe in dust. His face was mostly obscured except for his eyes, mouth, and nostrils. His black beard and suit were completely covered. At the time, he was working in the Stock Exchange as a specialist clerk. He had to return to work on sight the following week. Even as a kid, I thought that was *way* too soon to expect people to return to the scene of a terrorist attack.

7. My father was a foodie. His appreciation for good food was evident by the jolly size of his gut. The first time he was sick was only two years later when a goblet cell carcinoma

was found in his appendix. Our parents told us it was a hernia. He was out of work for around four months, and was then laid off from the Stock Exchange the next year. This put our family in a very difficult financial situation. My mother went back to work, and our entire family dynamic changed. A few years later, he worked for Goldman Sachs as a temp. Then in 2010, he was diagnosed with colon cancer. Doctors removed some of his colon and he received chemo. This was an extremely difficult time for our family. My grandma, whose house we lived in, was also extremely sick at this time and receiving dialysis. My mother couldn't be very present in our lives – she was caught between her sick husband and her sick mother. I was also struggling with gender dysphoria – in 2010, it was a much less accepting world than it is now. I was put into Bellevue's teenage mental ward for 13 days in late August. The day before I was discharged, my father was scheduled for surgery to check in on how the cancer was going. It was not going well. The doctors described his small intestine as "peppered with tumors". There was nothing they could do. In my fragile state, I didn't fully realize that meant he was terminal.

8. When I left Bellevue, my mother and uncle drove me right to the hospital my dad was in. That is a good image to portray the extent of the rest of my father's life. I was driven between hospitals for my own mental illness and my father's terminal cancer. He spent time in the Cancer Treatment Center in Philadelphia – less time my mother was around. My grandma was still going to dialysis daily. It finally made its way through my head that my father would not be long for this world when I brought to my mom's attention how food the food was at the Cancer Treatment Center's food court, and what a shame dad couldn't have any. "When can he eat again?" I asked. "He won't be able to." "For the rest of his life?" A look of pity on my mother's face. "How long do you think he'll live?" My heart was beyond broken. A 16-year-old kid, on the precipice of life. He didn't see me graduate from high school. I never got to come out to him – I had to wear a dress to

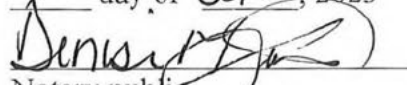
his funeral. My therapist warned me: "We don't want him to die uncomfortable with you." Instead, he died with two daughters, leaving behind two sons. I have a band now, with my college friends that he will never meet. He is an echo now, a memory of laughter, of learning, of dust collected on the floor our mother won't let us near, in fear of what it could do to us – of what else it could take away from her.



EMMETT F. FLANAGAN

Sworn before me this

15 day of Oct, 2023

  
Notary public

Margaret Flanagan



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

----- X

In Re:

TERRORIST ATTACKS ON  
SEPTEMBER 11, 2001

03-MDL-1570 (GBD)(SN)

----- X  
RAYMOND ALEXANDER, et al.,

**AFFIDAVIT OF  
Margaret Flanagan**

Plaintiffs,

21-CV-03505 (GBD)(SN)

V.

ISLAMIC REPUBLIC OF IRAN,

Defendant.

----- X

STATE OF NEW YORK       )  
                                      : SS  
COUNTY OF QUEENS       )

Margaret Flanagan, being duly sworn, deposes and says:

1. I am a plaintiff in the within action, am over 18 years of age, and reside at

[REDACTED]

2. I am currently 25 years old, having been born on [REDACTED]

3. I am the daughter of Decedent, Peter Flanagan, upon whose death my claim is based, and submit this Affidavit in connection with the present motion for a default judgment and in support of my solatium claim.

4. My father passed away from Malignant Neoplasm of The Small Bowel on February 3, 2012, at the age of 53. It was medically determined that this illness was causally connected to his exposure to the toxins resulting from the September 11, 2001, terrorist attacks at the World Trade Center.

5. I was very close with my dad. He always helped with my math homework, he taught me how to cook, and he always supported the phases I went through as a child.

6. I know my dad worked at the NYSE for a long time. I was 3 years old, and I remember being at my aunt's house and being kept away from the T.V. There was smog when my aunt drove me home.

7. My dad had a thick purple scar running along the entire length of his abdomen from repeated surgeries and it caused him significant pain. He had an NG tube and was so blocked up with tumors that he couldn't eat for the last year of his life. I really struggled in school because of how his illness affected his mood.

8. My grades went down from 7<sup>th</sup> to 9<sup>th</sup> grade, which permanently affected my education prospects. I have struggled to relate to my peers, and even now feel very lost and isolated in my grief.

Margaret Flanagan  
MARGARET FLANAGAN

Sworn before me this

16<sup>th</sup> day of October, 2023  
Yessenia Maria Rodriguez  
Notary public

YESSENIA MARIA RODRIGUEZ  
Notary Public, State of New York  
Registration #01RO6290556  
Qualified In Kings County  
Commission Expires October 7, 2025